

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re Former Employees of Washington) Master File No. C09-0504 RAJ
Mutual Bank v. FDIC as Receiver for)
Washington Mutual Bank, et al.)

ROBERT COLLINS, DAVID POLLINO,)
SUSANNA GOUWS KORN, TOM)
ALLEN, BATISTA MACARIO GAZOLI,)
MATTHEW WEDELL, BRIAN FOSTER,)
RICHARD QUINTANA, WILLIAM)
SANTOSO, MELISSA LEUNG, JACOB)
SORENSEN, JEFFREY P. WEINSTEIN,)
MICHELE GRAU-IVERSEN, KEITH)
FUKUI, JOHN DAVID GODI, DAVID)
COULTAS, SUSAN GLEASON, DENNIS)
ZHANG, MITCH STEVENS, CHERYL)
ST. JOHN, STEPHEN WHITTAKER,)
ROBERT C. HILL, MARY BETH DAVIS,)
TODD RICE, ROBERT OLSON, ANN)
TIERNEY, STEVEN CARLSON, DAN)
SANFORD, ANGELITA RAVAGO, LISA)
WYLER, MARK CROWLEY, BARTON)
WARNER, REZA AGHAMIRZADEH,)
SHERRY EISWALD, DAVID)
GILHOOLEY, KEN LABARBERA,)
ALEJANDRO MATA, MICHELLE)
MCCARTHY, JOSEPH BEER, COREY)
RINEHIMER, ANDREW TAUBER,)

NO. 2:09-cv-00570-RAJ

PLAINTIFFS' NOTICE OF INTENT
TO SEEK LEAVE TO AMEND
COMPLAINT TO INCLUDE A NEW
CAUSE OF ACTION

PLAINTIFFS' NOTICE OF INTENT TO SEEK LEAVE
TO AMEND COMPLAINT - 1

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SEATTLE, WA 98101-3933
(206) 624-1900

1 BERNARD YU, MICHAEL LAUBSTED,)
 2 DIANA E. ARESU, ROBERT N. BATT,)
 3 DAVID SHAVER, and ERIK GRIER)
 individually,)
)
 4 Plaintiffs,)
)
 5 v.)
)
 6 FEDERAL DEPOSIT INSURANCE)
 7 CORPORATION, as Receiver for)
 Washington Mutual Bank of Seattle,)
 8 Washington, and FEDERAL DEPOSIT)
 INSURANCE CORPORATION in its)
 9 Corporate Capacity,)
)
 10 Defendants.)

11 Plaintiffs of the undersigned counsel hereby provide notice of their intent to
 12 file a motion for leave to amend their Complaint to include a new cause of action.
 13 Plaintiffs' counsel understands this Court is consolidating the matter of *Potashnick*
 14 *v. FDIC* (CO9-1666 RAJ) to the consolidated matter of these plaintiffs. It is further
 15 understood that plaintiff Potashnick asserts at least one additional claim. Plaintiffs
 16 will seek leave to amend their Complaint to be consistent with that filed by Ms.
 17 Potashnick. Plaintiffs' counsel will also seek an opportunity to file additional briefing
 18 upon Ms. Potashnick's supplemental opposition to the pending motions to dismiss
 19 by FDIC, as Receiver and FDIC, Corporate as indicated by this Court's law clerk's
 20 communication between Ms. Potashnick's counsel and counsel for FDIC, as
 21

22 //

23 //

24
 25 PLAINTIFFS' NOTICE OF INTENT TO SEEK LEAVE
 TO AMEND COMPLAINT - 2

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1 Receiver dated March 5, 2010.

2 Dated this 7th day of April, 2010.

3
4 Respectfully submitted by:

5 LAW OFFICES OF DON S. WILLNER & ASSOC. P.C.

6 By: /s/ Don. Willner

7 Don S. Willner, WSBA #25652

8 Attorneys for Plaintiffs

9 Attorney for Plaintiffs

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15 AOKI SAKAMOTO GRANT

16 By: /s/ Russell M. Aoki

17 Russell M. Aoki, WSBA #15717

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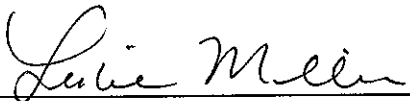
CERTIFICATE OF SERVICE

I, Leslie Miller, hereby certify that on April 7, 2010, I electronically filed the foregoing with the Clerk of the Court for the United States District Court by using the CM/ECF system which will send notification of such filing to the attorneys of record for the plaintiffs and defendants.

In addition, I caused the foregoing to be served via e-mail and U.S. Mail on pro se plaintiff Michael F. Day at the following addresses:

Michael.forest.day@gmail.com

Michael F. Day
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Tiburon, CA 94920



Leslie Miller
Legal Assistant to Russell M. Aoki
Attorney for Plaintiffs